

Patent Application Attorney Docket No. D/A1232

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Alain E. Perregaux et al.

Application No.: 09/996,681

Filed: 11/30/2001

Examiner: To be assigned

Art Unit: 1765

Confirmation No.: 4178

Title: USE OF A U-GROOVE AS AN

ALTERNATIVE TO USING A V-GROOVE FOR PROTECTION AGAINST DICING INDUCED

DAMAGE IN SILICON

CERTIFICATE OF MAILING

hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, D. C. 20231,

on

12/13/2002

Draine J. L. Holis

Francie S. LePore

Commissioner for Patents Washington, D.C. 20231

PETITION FOR FAILURE TO RECEIVE MISSING PARTS

In response to the facsimile transmission received October 22, 2002, of a Notice to File Missing Parts (dated as mailed February 21, 2002) Applicants hereby petition the Commissioner under 37 C.F.R. §1.181 to allow entry of said missing parts and hold in abeyance any failure to respond to the Notice to File Missing Parts.

In accordance with MPEP 711.03(c), Applicants' attorney, Christopher D. Wait, hereby states that the Notice to File Missing Parts for the above-identified application was not originally received from the PTO and hereby attests that a search of the contents of the application file, the file jacket, and the docket records indicates that the Notice to File Missing Parts was not received from the PTO.

The regular Patent Department business practice procedure for handling incoming United States Patent and Trademark Office's Notice to File Missing Parts followed in this case are as follows:

The PTO mail is received in our department by the Docket Mail Coordinator, sorted, and distributed to the appropriate Docket person for processing along with any documentation information needed, such as the application file. Prosecution related papers from the U.S. Patent and Trademark Office, including any Notice to File Missing Parts, are delivered to the incoming docket coordinator.

The incoming docket coordinator's docketing procedures, upon receipt of Notice to File Missing Parts papers, includes:

- 1. Date-stamping the Notice to File Missing Parts with the department date stamp;
- 2. Entering the PTO mail date on the Notice to File Missing Parts in:
 - a) a log sheet tracking all incoming Notice to File Missing Parts;
 - b) the computer record; and
 - c) on the application file jacket.
- 3. Placing the Notice to File Missing Parts in the application file and forwarding the application file with the Notice to File Missing Parts, to the appropriate attorney for response action.

Enclosed as Attachments A - C, respectively are copies of the Notice to File Missing Parts log sheet showing all Notice to File Missing Parts received during the time when the Notice to File Missing Parts should have been received, a printout of the computer record for the present application showing all docketed actions and responses from December 1998 to present, and a copy of the application file jacket, each of which would include an entry indicating the receipt of a Notice to File Missing Parts, if one had been received.

Application No. 09/996,681

A review of the log sheets tracking all incoming Notice to File Missing Parts received in February and March 2002 (Attachment A) provides no indication that a Notice to File Missing Parts was received for the above-identified application.

The computer record showing docketed actions and responses from December, 1998 to present included as Attachment B. The highlighted entry on Attachment B shows all prosecution data and correspondence received from and mailed to the U.S. Patent and Trademark Office. If a Notice of Allowance was received, an entry indicating receipt would be included.

The application file jacket, included as Attachment C, was reviewed and provided no indication of the receipt of a Notice to File Missing Parts. Entries on Attachment C show all prosecution correspondence with the U.S. Patent and Trademark Office between November 29, 2001 through August 16, 2002, to the present and do not include any entry for receipt of a Notice to File Missing Parts.

On August 16, 2002 having noted that an expected Notice to File Missing Parts was not as yet forthcoming in this caes from the PTO, a Status Inquiry letter (Attachment D) was sent to the PTO regarding the matter. No response has been received to date acknowledging that Status Inquiry letter.

On October 22, 2002 Applicants' attorney's administrator contacted the PTO by phone and was directed to Ms. Tushhombe Stokes with whom she discussed the matter. Ms. Stokes indicated that a Notice to File Missing Parts dated February 21, 2002 was in the PTO file. Ms. Stokes thereafter caused to be faxed a facsimile copy of the Notice to File Missing Parts to the Applicants, as well as a faxing a Replacement Filing Sheet.

Application No. 09/996,681

Additionally, a copy of the Status Inquiry letter (Attachment D) is also attached. Please note as included herein the missing parts as per the Notice to File Missing Parts. I.E., the declaration.

In view of the above showing, Applicants respectfully request the entry of the missing parts required by the facsimile copy of the Notice to File Missing Parts. No additional fee is believed to be required for this petition. However, the undersigned Xerox Corporation attorney (or agent) hereby authorizes the charging of any necessary fees to Xerox Corporation Deposit Account No. 24-0025.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Christopher D. Wait

Attorney for Applicant(s) Registration No. 43,230

(585) 423-6918

CDW/fsl December 13, 2002

Xerox Corporation Xerox Square 20A Rochester, New York 14644

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Attachment B

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(2) 1991 Xerox Corporation

Attachment C



Patent Application Attorney Docket No. D/A1232

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Alain E. Perregaux et al.

Application No.: 09/996,681

Filed: 11/30/2001

Examiner: To be assigned

Art Unit:

Title: USE OF A U-GROOVE AS AN

ALTERNATIVE TO USING A V-GROOVE FOR PROTECTION AGAINST DICING INDUCED

DAMAGE IN SILICON

Commissioner for Patents Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope

addressed to:

Commissioner for Patents,

Washington, D. C 20231, on

August 16 2002

Francie S. LePore

(Name of applicant assignee or Registered Representative)

(Signature)

STATUS INQUIRY

The above-identified application was filed on 11/30/2001. To date no Office Action has been received. In particular, we have been expecting a Notice of Missing Parts, none has thus far been received at our office.

Please advise us as to the status of this application.

Respectfully submitted,

Christopher **D**. Wait Attorney for Applicant(s)

Registration No. 43,230

(585) 423-6918

CDW/fsl August 16, 2002 Xerox Corporation Xerox Square 20A Rochester, New York 14644

Attachment D